

No. 1426-3Lab-78/1316.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act, No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Indian Leather Works, 98 D.L.F., Industrial Estate No. 1, Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING, OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 111 of 1976

between

SHRI DUKANU, WORKMAN AND THE MANAGEMENT OF M/S INDIAN LEATHER WORKS,
98, D.L.F., INDUSTRIAL ESTATE No. 1, MATHURA ROAD, FARIDABAD

Present.—

Shri Amar Singh, for the workman.

Shri K. K. Prasher, for the management.

AWARD

By order No. ID/FD/22-B-76/21997, dated the 25th June, 1976, the Governor of Haryana referred the following dispute between the management of M/s Indian Leather Works, 98, D.L.F., Industrial Estate No. 1, Mathura Road, Faridabad and its workman Shri Dukanu, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Dukanu, was justified and in order ? If not, to what relief is he entitled ?

In this reference, I had given an *ex-parte* award, dated 11th May, 1977. Thereafter the management had moved an application for setting aside the *ex-parte* award to which the workman replied and from the pleadings of the parties the following issues were framed on 31st October, 1977.

- (1) Whether the application of the management is within time ?
- (2) Whether there are sufficient ground for setting aside *ex-parte* award ?
- (3) Whether non-filing of affidavit together with the application in support thereof and non-verification of the application is fatal for the management ?

The case was set for the evidence of the parties. At this stage the parties reached a compromise. The representative for the management stated that the management was prepared to pay a sum of Rs. 424.66 to the workman details as follows :—

(1) Retrenchment compensation ..	182.00
(2) One Month Notice Wage ..	182.00
(3) Leave with Wages ..	60.66
Total ..	424.66

In case the workman gave up the dispute and with drew therefrom, which shall be deemed as full and final settlement. Thereafter the case was fixed for payment to the workman. Full payment of the above said amount has been paid to the workman before this Tribunal. I, therefore, set aside the previous said *ex-parte* award given in this reference and give my award in terms of settlement now made between the parties. I give my award as follows:—

That the workman had received the whole of the amount according to the settlement. The termination of his services is justified and in order. He is not entitled to any relief.

The 31st January, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 84, dated the 1st February, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

The 1st February, 1978.

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

G. V. GUPTA, Secy.

IRRIGATION DEPARTMENT

Declaration

The 25th January, 1978.

No. 29/LC/I.—Whereas the Governor of Haryana is satisfied that the land specified below, is required urgently by the Government, at public expense, for “constructing Ujina Diversion Drain from R. D. 0 to R. D. 24928 outfalling into Gaunchi Main Drain at R. D. 15160/Right in villages Bhiduki, Banswa and Khirbi in Tehsil Palwal, District Gurgaon” for which a Notification has been issued under sub-section (4) and section 17 read with clause (c) of sub-section (2) of section 17 of the said Act and published,—*vide* Haryana Government Notification No. 28/LC/I, dated 25th January, 1978 in Haryana Government Gazette, Part I, it is hereby declared that the land described in the specifications below is required urgently for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, for the information of all to whom it may concern.

The plans of the land may be inspected in the offices of the Collector, Gurgaon and the Executive Engineer, Ujina Diversion Drain Division, No. I, Palwal.

SPECIFICATIONS

District	Tehsil	Village, H. B. No.	Area in acres	Boundary												
Gurgaon	Palwal	Bhiduki (99)	123.19	A strip of land 24928 feet (7.6 Kms) in length and varying in Width comprising part field Nos. given as under :—												
				<table><tr><th>Rectangle No.</th><th>Killa No.</th></tr><tr><td>88</td><td>7, 8, 13, 14, 17/1, 17/2, 18/1, 18/2, 22, 25</td></tr><tr><td>115</td><td>1, 2, 3, 4, 5, 7, 8, 9, 11, 12/1, 12/2, 13, 14, 17, 18, 19, 20/1, 20/2, 20/3, 21/1, 21/2, 22, 23, 24</td></tr><tr><td>117</td><td>1/1, 1/2, 2, 3, 8, 9, 10/1, 10/2, 10/3, 11/1, 11/2, 12, 19/1, 19/2, 19/3, 20/1, 20/2, 21/1, 21/2, 22</td></tr><tr><td>118</td><td>5, 6, 14, 15, 16, 17, 24, 25/1, 25/2, 27</td></tr><tr><td>143</td><td>3, 4, 5/1, 5/2, 5/3, 6/1, 6/2, 6/3, 7, 8, 13, 14, 15/1, 15/2, 16, 17, 18, 19, 22, 23, 24, 25</td></tr></table>	Rectangle No.	Killa No.	88	7, 8, 13, 14, 17/1, 17/2, 18/1, 18/2, 22, 25	115	1, 2, 3, 4, 5, 7, 8, 9, 11, 12/1, 12/2, 13, 14, 17, 18, 19, 20/1, 20/2, 20/3, 21/1, 21/2, 22, 23, 24	117	1/1, 1/2, 2, 3, 8, 9, 10/1, 10/2, 10/3, 11/1, 11/2, 12, 19/1, 19/2, 19/3, 20/1, 20/2, 21/1, 21/2, 22	118	5, 6, 14, 15, 16, 17, 24, 25/1, 25/2, 27	143	3, 4, 5/1, 5/2, 5/3, 6/1, 6/2, 6/3, 7, 8, 13, 14, 15/1, 15/2, 16, 17, 18, 19, 22, 23, 24, 25
Rectangle No.	Killa No.															
88	7, 8, 13, 14, 17/1, 17/2, 18/1, 18/2, 22, 25															
115	1, 2, 3, 4, 5, 7, 8, 9, 11, 12/1, 12/2, 13, 14, 17, 18, 19, 20/1, 20/2, 20/3, 21/1, 21/2, 22, 23, 24															
117	1/1, 1/2, 2, 3, 8, 9, 10/1, 10/2, 10/3, 11/1, 11/2, 12, 19/1, 19/2, 19/3, 20/1, 20/2, 21/1, 21/2, 22															
118	5, 6, 14, 15, 16, 17, 24, 25/1, 25/2, 27															
143	3, 4, 5/1, 5/2, 5/3, 6/1, 6/2, 6/3, 7, 8, 13, 14, 15/1, 15/2, 16, 17, 18, 19, 22, 23, 24, 25															

District	Tehsil	Village, H. B. No	Area in acres	Boundary	
Gurgaon— concl'd	Palwal— concl'd	Bhiduki (99)— concl'd		Rectangle No.	Killa No.
				144	1/1, 1/2, 1/3, 10/1, 10/2, 11
				148	2, 3, 4, 5, 6, 7/1, 7/2, 8/1, 8/2, 9, 10, 11, 12, 13, 14, 17, 18, 19/1, 19/2, 20, 21, 22/1, 22/2, 23
				149	25
				171	5, 6, 14, 15, 16, 17/1, 17/2, 24, 25
				172	1, 2/1, 2/2, 3/1, 3/2, 8, 9/1, 9/2, 10, 11, 12, 19, 20, 21, 22
				177	1/1, 1/2, 10/1, 10/2, 11, 20
				178	3/1, 3/2, 4, 5, 6, 7, 8/1, 8/2, 13, 14/1, 14/2, 15, 16, 17, 18, 19, 22, 23/1, 23/2, 24, 25/1, 25/2
				198	1/1, 1/2, 2, 3, 4, 5/1, 7, 8, 9, 10, 11, 12, 13, 14/1, 14/2, 17/1, 17/2, 18, 19, 20, 21, 22, 23/1, 23/2
				197	16, 25
				205	1, 2, 3, 8, 9, 10, 11/1, 11/2, 12, 19/1, 19/2, 20, 21, 22
				206	5, 6/1, 6/2, 7, 14, 15/1, 15/2, 16, 17, 22, 23, 24, 25, 26
				221	3, 4, 5, 6, 7/1, 7/2, 8/1, 8/2, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25
				222	1, 10, 11
				230	1/1, 1/2, 2, 3, 4, 5, 7/1, 7/2, 8, 9, 10/1, 10/2, 11, 12, 13, 14, 17, 18, 19, 20, 23
Gurgaon	Palwal	Banswa (98)	188.86	6	19, 20, 21, 22, 23
				7	16, 25/1, 25/2
				20	5, 6, 7, 14, 15, 16, 17, 23, 24, 25, 26
				21	1, 2/1, 2/2, 3, 8, 9, 10/1, 10/2, 11, 12/1, 12/2, 13, 19/1, 19/2, 20, 21, 22/1, 22/2
				27	1, 2, 10, 11/1, 11/2
				28	3, 4/1, 4/2, 5, 6, 7, 8/1, 8/2, 12, 13, 14, 15, 16, 17/1, 17/2, 18, 19, 22/1, 22/2, 23, 24, 25
				40	16, 25

District	Tehsil	Village, H. B. No.	Area in acres	Boundary
Gurgaon <i>contd</i>	Palwal— <i>contd</i>	Banswa (98)— <i>concl'd</i>	Rectangle No.	Killa No.
			41	1/3, 2, 3/1, 3/2, 3/3, 4, 5, 7/1, 7/2, 8, 9, 10/1, 10/2, 11, 12, 13, 14, 17, 18, 19, 20/1, 20/2, 21, 22, 23
			52	8, 9, 10, 11, 12/1, 12/2, 19/1, 19/2, 20, 21/1, 21/2, 22
			53	5, 6, 7, 14, 15, 16/1, 16/2, 17, 24, 25
			65	3, 4, 5, 6, 7, 8/1, 8/2, 12, 13, 14/1, 14/2, 15/1, 15/2, 16/1, 16/2, 17, 18, 19, 21, 22, 23, 24, 25
			66	1, 10, 11
			78	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12/1 12/2, 13, 14, 18, 19, 20, 21, 22
			79	6, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
			80	11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
			81	11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21/1, 21/2, 22, 23, 25
			82	11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
			83	11, 12, 13, 14, 15, 16, 17, 18, 19, 20/1, 20/2, 21, 22, 23, 24, 25, 26
			84	2, 3, 7, 8, 9, 10, 11, 12, 13/1, 13/2, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
			85	2, 3, 4, 5, 6, 7
			86	1, 2, 3, 4, 5, 6, 7/1, 7/2, 8, 9, 10/1, 10/2
			87	1, 2, 4, 5, 6/1, 6/2, 7, 9, 10, 170 (Pond), 3, 8
			88	1/1, 1/2, 2, 3, 8, 9, 10
			89	1, 2, 3, 4, 5, 6, 7, 8, 9, 10
			90	1, 2, 3, 4, 5, 6, 7, 8, 9, 10
			91	1, 2

District	Tehsil	Village A. B. No.	Area in acres	Boundary	
				Rectangle No.	Killa No.
Gurgaon— concl'd	Palwal— concl'd	Khirbi, (97)	33.75	63	21
				64	21/1, 21/2, 22, 23, 24, 25
				65	24, 25/2
				66	3, 4, 5/1, 5/2, 6/1, 6/2, 7, 8, 13, 14, 15, 16, 17, 18
				67	1, 2, 3, 4, 5/1, 5/2, 5/3, 6, 7 8/1, 8/2, 9, 10, 11, 12/1, 12/2, 13/1, 13/2, 14/1, 14/2, 15/1, 15/2, 16, 17, 18, 19, 20, 24, 25/1, 25/2
				68	1/1, 1/2, 1/3, 2, 10/1, 10/2, 11, 20, 21
				69	1 and generally lying in the direc- tion from south-west to north-east as demarcated at site and as shown on the Index Plan.
Total area			345.80		

The 16th February, 1978

No. 131/LC/II.—Whereas it appears to the Governor of Haryana that land specified below is needed by the Government, at public expense, for a public purpose, namely, for constructing Ujina Diversion Drain from 24928—58441 in village Baptali, Bhulwana, Hodal, Kachikhera in Tehsil Palwal, District Gurgaon, it is hereby notified that the land in the locality specified below is to be acquired for the above purpose.

Therefore, this notification is made under the provision of section 4 of the Land Acquisition Act, 1894, for the information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorises the officers of Irrigation Department for the time being engaged in the undertaking along with their servants and workmen, etc. to enter upon and survey land in the locality and do all other acts required or permitted by that section.

Further, whereas the Governor of Haryana is satisfied that the land is required for the flood work which is very urgent and of importance within the meanings of clause (c) of sub-section (2) of Section 17 of the said Act, and whereas the Governor of Haryana is of the opinion that the provisions of sub-section (2) of the said section are thus, applicable, it is hereby directed under sub-section (4) of Section 17 of the said Act that the provisions of section 5-A of the said Act shall not apply in case of this land acquisition.

SPECIFICATION

District	Tehsil	Village	Area in acres	Boundary	
				A strip of land boundary measuring 33,513 feet (K.M. 10.214) in length and varying width comprising field Nos. given as under :—	
				Rectangle No.	Killa No.
Gurgaon	Palwal	Baptali (H.B. No. 96)	75.27	11	1, 2, 3, 9, 10, 12, 13, 18, 19, 20/1, 20/2, 11

District	Tehsil	Village	Area in acres	Boundary
Gurgaon	Palwal	Baptali—H.B. No. 96— concl'd	75.27— concl'd	12 4, 5, 6, 7, 13, 14/1, 14/2, 15, 16, 17, 18, 19, 22/1, 22/2, 23, 24, 25
				18 1, 2/1, 2/2, 2/3, 3/1, 3/2, 3/3, 4, 5, 6, 7, 7/1, 7/2, 8, 9, 10, 11, 12/1, 12/2, 13, 14, 18, 19, 20, 21, 22, 23, 26
				17 16, 25
				19 1/1, 1/2, 2, 8, 9, 10, 11, 12, 19, 20, 21, 22
				20 5, 6, 7, 14, 15, 16, 17, 18, 23, 24/1, 24/2, 25/1, 25/2
				25 3/1, 3/2, 4, 5, 6, 7, 8, 12/1, 12/2, 13/1, 13/2, 14, 15, 16/1, 16/2, 17/1, 17/2, 18/1, 18/2, 19/1, 19/2, 21, 22/1, 22/2, 23, 24, 24/1, 24/2, 25
				26 1, 10, 11/1, 11/2
				39 Johar
				27 1, 2, 3, 8/1, 9, 10, 11, 12, 13, 19, 20/1, 22, 21
				28 6/1, 15/1, 15/2, 18/1, 18/2, 17/1, 17/2, 24/1, 24/2, 23, 16/1, 16/2, 25/1, 25/2
				31 2, 3, 4/1, 4/2, 4/3, 5, 6/1, 6/2, 6/3, 7/1, 7/2, 8/1, 8/2, 9, 10, 14/1, 14/2, 15
				32 1/1, 1/2, 2, 10, 47, 49, 84, 55
		Bhulwana (H.B. No. 94)	152.24	31 11/1, 11/2, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24
				33 5/1, 5/2, 6, 15, 16, 17, 18, 19, 22, 24, 23, 25, 4/1, 4/2, 7, 14, 13, 18, 19, 22
				48 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22
				47 15, 16, 25, 14, 17, 24, 18, 23, 22
				52 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23/1
				32 1, 2/1, 2/2, 3, 10, 9, 8, 11, 12/1, 12/2, 20,
				51 1, 2, 10/1
				53 6, 15, 16, 25, 14, 17, 24, 13, 18, 23, 22
				64 1, 2, 3, 4, 5, 6, 7, 8, 9, 14, 10/1, 11, 12, 15, 16, 22, 23/1, 17, 18, 19, 20, 10/2, 21

District	Tehsil	Village	Area in acres	Rectangle No.	Boundary/Killa No.
Gurgaon		Bhulwana (H. B. No. 94)— concl'd	152.24— concl'd	65	1, 2, 10
				63	6, 15, 16, 25/1, 25/2, 14, 17, 24, 18, 23, 22
				69	6, 15/1, 14, 7, 4, 3, 8, 13, 18, 23, 2, 9, 12/1, 12/2, 22/2, 1/3, 10, 11, 20, 21, 22/1, 19
				68	1
				78	1
				70	6/2, 15, 16, 25, 14, 17, 24, 18/1, 23/1, 23/2, 22
				77	1/2, 3/1, 3/2, 4, 5, 6, 7, 8, 9, 10, 11/1, 11/2, 12, 14/1, 14/2, 18, 19, 20, 21/1, 21/2, 21/3, 22/1, 22/2, 22/3, 23, 13
				83	1/1, 1/2
				76	18, 22, 23, 14, 6, 15/1, 15/2, 16/1, 16/2, 24/1, 17, 24/2, 25
				74	1, 2, 3, 4/1, 4/2, 5, 6, 7/1, 7/2, 7/3, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18/1, 18/2, 19, 20, 21, 22, 23
				89	1, 2, 10
				85	17/1, 17/2, 15/1, 15/2, 15/3, 16/1, 16/2, 25, 18, 23/1, 23/2, 20, 21, 24
				88	2, 3/1, 3/2, 4/1, 4/2, 4/3, 5, 6, 7/1, 7/2, 8, 9, 10/1, 10/2, 11, 12/1, 12/2, 13, 14, 15, 18/1, 18/2, 19, 20/1, 20/2, 21, 17, 22, 23, 19
				87	15/1, 15/2, 16, 17, 18, 23, 24, 25
				98	3, 4, 5, 6, 7/1, 7/2, 8, 13, 14, 15/1, 17, 18
		Hodal (H.B. No.93)	94.96	435	9, 11, 12, 20/1, 20/2, 18, 21/1, 21/2, 22, 23
				436	1, 2, 10
				434	23, 24, 25, 16, 17, 15/2
				437	2, 3/1, 3/2, 3/3, 4/1, 4/2, 4/3, 4/4, 4/5, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18/1, 18/2, 19, 20, 21, 22/1, 22/2, 23/1, 23/2
				438	15, 16/1, 16/2, 23, 24, 25
				445	1, 2, 3/1, 3/2, 4, 5, 6, 7/2, 8, 9, 10, 11, 12, 13/1, 13/2, 14, 15, 16/1, 16/2, 16/3, 17, 18, 19, 22, 23, 24, 25
				450	1, 2, 10
				449	2/2, 3, 4/1, 4/2, 4/3, 5/1, 5/2, 6, 7, 8, 9, 10/2, 11, 12/1, 12/2, 13/1, 13/2, 14, 15, 17, 18, 19, 20/1, 20/2, 21, 22/1, 22/2, 23
				451	1, 2/1,
				452	1/1, 1/2, 3/1, 3/2, 4/1, 4/2, 5, 6, 7/1, 7/2, 8, 9, 10

District	Tehsil	Village	Area in acres	Rectangle No.	Boundary/Killa No.
Gurgaon		Hodal (H. B. No. 93) — concl'd	94.96— concl'd	448	14, 15, 16, 17, 18, 19, 20, 21, 22/1, 22/2, 23, 24/1, 24/2, 25
				453	1/1, 1/2, 2, 3, 4, 5, 6, 7/1, 7/2, 8, 9, 10
				447	16, 17, 18, 19, 20/2, 20/3, 21, 22/1, 22/2, 23, 24, 25/1, 25/2, 25/3, 25/4
				446	11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
				454	1, 2/1, 2/2, 2/3, 3, 4, 5, 6/1, 6/2, 7, 9, 10/1, 10/2
				455	3, 4, 5, 6
				442	19, 20, 21/1, 21/2, 22, 23
				444	5, 6/1, 6/2,
				443	15, 16, 25
					591, 592, 596, 597, 1482, 1480, 1483, 1494, 1493, 1495
		Kachikhera (H.B. No. 92)	51.64	52	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 20
				39	16, 17, 18, 19, 21, 22, 23, 24, 25
				51	5, 6, 7/1, 14, 15, 16, 17, 18, 19, 20, 22, 23/1, 23/2, 24, 25
				53	1/1, 1/2, 2, 3, 4, 7, 8, 9, 10, 11/1, 11/2, 12, 13, 19, 20, 21, 22
				54	5, 6, 7, 14, 13, 15, 16, 17, 18, 19, 22, 23/1, 23/2, 24/1, 24/2, 25
				62	1
				61	1, 2, 3, 4, 5, 6, 7/1, 7/2, 8/1, 8/2, 8/3, 9, 10, 11, 12, 13/1, 13/2, 14, 18/1, 18/2, 19, 20, 21, 22, 23,
				60	6, 7, 14, 15, 16, 17, 18/1, 18/2, 22, 23, 24, 25/1, 25/2
				64	1, 2/1, 2/2, 2/3, 3/1, 3/2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 19, 18
				65	6
				63	1, 2, 10
					123, 132, 133, 135, 141
And generally lying in the direction from south west to North East as demarcated at site and as shown on the Index Plan.					
Total area ...				374.11 acres	

And generally lying in the direction from south west to North East as demarcated at site and as shown on the Index Plan.

By order of the Governor of Haryana

Dr. G.P. MALHOTRA,

Superintending Engineer,
Ujjina Diversion Drain Circle,
485, Sector 15,
Faridabad